

93798

Vol. ^m 24 Page 13286 ORIGINALHighway Division
File 4504

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, That the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Highway Division, hereinafter called "Grantor", for the consideration of the sum of Two Thousand and No/100 DOLLARS (\$2,000.00) hereby conveys unto LAWRENCE HALL and ANN HALL, husband and wife, hereinafter called "Grantees", the following described property, to wit:

A parcel of land lying in the NW¹/₄SW¹/₄ of Section 26, Township 33 South, Range 7¹/₂ East, W.M., Klamath County, Oregon and being that property described in that deed to the State of Oregon, by and through its State Highway Commission, recorded in Book 111, Page 21 of Klamath County Record of Deeds.

EXCEPT therefrom that portion lying Westerly of a line parallel with and 80 feet Easterly of the center line of the Crater Lake Highway, leaving a net area of 0.89 acre, more or less.

This conveyance is made upon the express condition that the above-described land shall never be used for the placing or maintenance of any advertising sign, display or device, except such sign, display or device used to advertise the activities conducted on said land, or the sale or lease of said land or any portion thereof, and upon the further express condition that said land shall never be used as a place for the open storage, keeping, buying, selling, dismantling or other processing of any junk, scrap, junked motor vehicles or parts thereof, debris, trash, waste or other such materials, including any garbage dump or sanitary fill.

In the event of violation of the condition pertaining to advertising signs, displays or devices, Grantor shall have the right, through its authorized officers, agents or employees, to enter upon said land and remove, destroy or obliterate any unauthorized sign, display or device, without liability for damage or injury thereto, and to recover the cost of such removal, destruction or obliteration from the owner of said land.

In the event of the violation of the condition pertaining to open storage, keeping, buying, selling, dismantling or other processing of junk, scrap or other material mentioned above on said land, Grantor shall have the right, through its authorized officers, agents or employees to enter upon said land and remove or destroy any unauthorized junk, scrap or other material mentioned above and recover the cost of such removal or destruction from the owner of said land, or Grantor may, at its election, notify the owner of said land to eliminate the cause of the violation and upon the failure to do so within 30 days from the receipt of said notice, Grantor may declare this deed to be forfeited and thereupon all right, title and interest herein granted shall revert to and vest in Grantor, without necessity of re-entry by Grantor.

The rights and remedies herein reserved or provided shall not be exclusive and shall not be in derogation of any other right or remedy which Grantor may have. The restrictions, rights and conditions herein contained shall run with said land and shall forever bind Grantees, their heirs and assigns.

The real property hereinabove described is no longer needed or required by Grantor for state highway, scenic or park purposes.

Dated this 4th day of October, 1974.

APPROVED AS TO FORM:

John L. Aron
Counsel

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION,
Highway Division

By Joe Klabos
P. B. Klabos, Administrator and State
Highway Engineer

Tax statements are to be sent to the
following address:

P. O. Box 552
Fort Klamath, Oregon 97626

13287

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STATE OF OREGON, County of Marion

Oct 4, 1974. Personally appeared F. B. Klaboe, who being sworn, stated that he is the Administrator and Highway Engineer for the State of Oregon, Department of Transportation, Highway Division, and that this instrument was voluntarily signed on behalf of the State of Oregon, by authority vested in him by the Oregon Transportation Commission.

Before me:

E. Ruth Keller
Notary Public for Oregon

My Commission expires Oct 1, 1977

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STATE OF OREGON,
County of Marion
Filed for record at request of
STATE OF OREGON HIGHWAY DIVISION

on this 10th day of October A.D. 19 74
at 3:33 Clerk P.M. and clerk
recorded in Vol. 11 of DEPTS
page 13286

Wm D. MILNE, County Clerk
By Wm D. Milne
No 16400